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PTO/SB/29 (12/97)

Approved for use through 09/30/00. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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## CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL

*Submit an original, and a duplicate for fee processing.*

*(Only for Continuation or Divisional applications under 37 CFR 1.53(d))*

CHECK BOX, if applicable:  
 DUPLICATE

|   |                        |                   |
|---|------------------------|-------------------|
| Address to:   | Attorney Docket No.    | MICS:0015—2       |
| Assistant Commissioner for Patents  | First Named Inventor   | Ravi Iyer         |
| Box CPA   | Express Mail Label No. | EV 173 541 631 US |
| Washington, DC 20231  | Total Pages            | 2                 |
| <p>This is a request for a <input checked="" type="checkbox"/> continuation or <input type="checkbox"/> divisional application under 37 CFR 1.53(d).<br/>           (continued prosecution application (CPA)) of prior application number 09/059,865, filed on April 14 1998,<br/>           entitled PLANARIZATION USING PLASMA OXIDIZED AMORPHOUS SILICON.</p>  |                        |                   |
| <b>NOTES</b>  |                        |                   |
| <p><b>FILING QUALIFICATIONS:</b> The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 CFR 1.51(b) and filed on or after June 8, 1995, or (2) the national state of an international application in compliance with 35 U.S.C. 371 and filed on or after June 8, 1995.</p> <p><b>C-I-P NOT PERMITTED:</b> A continuation-in-part application cannot be filed as a CPA under 37 CFR 1.53(d), but must be filed under 37 CFR 1.53(b).</p> <p><b>EXPRESS ABANDONMENT OF PRIOR APPLICATION:</b> The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 CFR 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.</p> <p><b>ACCESS TO PRIOR APPLICATION:</b> The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 CFR 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.</p> <p><b>35 U.S.C. 120 STATEMENT:</b> In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 CFR 1.78(a).</p> |                        |                   |
| <p>1. <input type="checkbox"/> Enter the unentered amendment previously filed on _____ under 37 CFR 1.116 in the prior nonprovisional application.</p> <p>2. <input checked="" type="checkbox"/> A preliminary amendment is enclosed.</p> <p>3. This application is filed by fewer than all the inventors named in the prior application, 37 CFR 1.53(d)(4).</p> <p>a. <input type="checkbox"/> <b>DELETE</b> the following inventor(s) named in the prior nonprovisional application:</p> <p>b. <input type="checkbox"/> The inventor(s) to be deleted are set forth on a separate sheet attached hereto.</p> <p>4. <input type="checkbox"/> A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.</p> <p>5. <input type="checkbox"/> Information Disclosure Statement (IDS) is enclosed:</p> <p>a. <input type="checkbox"/> PTO-1449</p> <p>b. <input type="checkbox"/> Copies of IDS Citations</p>  |                        |                   |

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

04/21/2003 RMEBRAHT 00000048 133092 09059865  
 01 FC:1006 750.00 CH  
 02 FC:1014 110.00 CH

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| CLAIMS   | (1) FOR | (2) NUMBER FILED | (3) NUMBER EXTRA            | (4) RATE                      | (5) CALCULATIONS |
|--|---------|------------------|-----------------------------|-------------------------------|------------------|
| TOTAL CLAIMS<br>(37 CFR 1.16(c))   | 12      | -20=             |                             | x \$18.00=                    |                  |
| INDEPENDENT CLAIMS<br>(37 CFR 1.16(b))                                     | 2       | -3=              |                             | x \$84.00=                    |                  |
| MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))                 |         |                  |                             | x \$280.00=                   |                  |
|  |         |                  |                             | BASIC FEE<br>(37 CFR 1.16(a)) | 750.00           |
|  |         |                  | Total of above Calculations |                               | \$ 750.00        |
| Reduction by 50% for filing by small entity (Note 37 CFR 1.9, 1.27, 1.28). |         |                  |                             |                               |                  |
|  |         |                  |                             | TOTAL =                       | \$ 750.00        |

6. Small entity status

- a.  A small entity statement is enclosed.
- b.  A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired
- c.  Is no longer claimed.

7. The Commissioner is hereby authorized to credit overpayments or charge the following fees, including any extension fee, to Deposit Account No. 13-3092; Order No. MICS:0015-2/FLE (93-118.02).

- a.  Fees required under 37 CFR 1.16.
- b.  Fees required under 37 CFR 1.17.
- c.  Fees required under 37 CFR 1.18.

8.  A check in the amount of \$ \_\_\_\_\_ is enclosed.

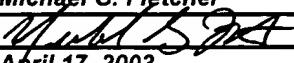
9.  Other:

**NOTE:** *The prior application's correspondence address will carry over to this CPA UNLESS a new correspondence address is provided below.*

**10. NEW CORRESPONDENCE ADDRESS**

|  |  |           |  |
|--|--|-----------|--|
| <input type="checkbox"/> Customer Number or Bar Code Label | <input type="text"/>                                 |           | Correspondence address below   |
| (Insert Customer No. or Attach bar code label here)        |  |           | Michael G. Fletcher<br>Fletcher, Yoder & Van Someren<br>P.O. Box 692289<br>Houston, Texas 77269-2289 |
| NAME   | Michael G. Fletcher<br>Fletcher, Yoder & Van Someren |           |  |
| ADDRESS  | P.O. Box 692289                                      |           |  |
| CITY   | Houston  | STATE     | Texas  |
| COUNTRY  | USA  | TELEPHONE | (281) 970-4545   |
|  |  | Fax       | (281) 970-4503   |

**11. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

|           |   |
|-----------|---|
| NAME      | Michael G. Fletcher   |
| SIGNATURE |  |
| DATE      | April 17, 2003  |



Commissioner for Patents  
Washington, DC 20231  
www.uspto.gov

| APPLICATION NUMBER | FILING DATE | GRP ART UNIT | FIL FEE REC'D | ATTY.DOCKET.NO | DRAWINGS | TOT CLAIMS | IND CLAIMS |
|--------------------|-------------|--------------|---------------|----------------|----------|------------|------------|
| 09/059,865         | 04/14/1998  | 2813         | 790           |                | 2        | 13         | 3          |

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SPRING, TX 773911850

**CONFIRMATION NO. 8997**  
**CORRECTED FILING RECEIPT**



\*OC000000009906812\*

Date Mailed: 04/24/2003

Receipt is acknowledged of a CPA in this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

**Applicant(s)**

RAVI IYER, BOISE, ID;

**Domestic Priority data as claimed by applicant**

This application is a CON of 08/599,675 02/12/1996 PAT 5,872,052

**Foreign Applications**

If Required, Foreign Filing License Granted: 04/28/1998

CPA filed on: 04/17/2003

Projected Publication Date: 07/31/2003

Non-Publication Request: No

Early Publication Request: No

**Title**

PLANARIZATION USING PLASMA OXIDIZED AMORPHOUS SILICON

**Preliminary Class**

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**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

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**NOT GRANTED**

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